

NICHOLAS A. TRUTANICH
Nevada Bar Number 13644
United States Attorney
SEAN BEATY
Trial Attorney
U.S. Department of Justice, Tax Division
150 M St., NE, Rm. 1.811
Washington, DC 20002
(202) 616-2717

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTON PAUL DRAGO,

Defendant.

2:13-cr-00334-JCM-CWH

Government's Motion to Stay the
Briefing Schedule on Drago's § 2255
Motion [Dkt. No. 212]

In a motion to vacate his convictions and sentence, Defendant Anton Paul Drago alleges that attorney Kevin O'Connell provided constitutionally ineffective assistance of counsel. This Court ordered the government to respond to Drago's motion. Dkt. No. 212. Because the government needs information from two of Drago's attorneys to address these allegations, the government filed a motion seeking an order from the Court deeming the attorney-client privilege waived and allowing it to obtain that information. *See* Dkt. No. 213 (seeking an Order that Drago's former counsel shall provide affidavits or declarations within 45 days).

Through this separate motion, the government further requests that the Court stay the briefing schedule pending the Court's Order on Dkt. No. 213 and while the

1 government awaits responsive declarations from counsel, such that the government will
2 have 45 days to prepare its response after it has received counsels' affidavits or
3 declarations.

4 Dated: March 5, 2020.

5 Respectfully submitted,

6 NICHOLAS A. TRUTANICH
7 UNITED STATES ATTORNEY

8 

9 Sean Beaty
10 Trial Attorney, Tax Division
11 U.S. Department of Justice
12 150 M St., NE
13 Washington, DC 20002
14 (202) 616-2717
15 Sean.P.Beaty@usdoj.gov
16
17
18
19
20
21
22
23

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 5, 2020, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will serve a copy of this document on all counsel of record.

In addition, I caused to be mailed a copy of this application to the defendant at his last known address:

Anton Paul Drago, No. 48254-048
FCI Terre Haute
Federal Correctional Institution
P.O. BOX 33
Terre Haute, IN 47808

/s/ Sean Beaty
Sean Beaty
Trial Attorney, Tax Division

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

2:13-cr-00334-JCM-CWH

4 Plaintiff,

5 v.

ORDER

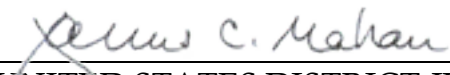
6 ANTON PAUL DRAGO,

7 Defendant.

8 Based upon the pending motion of the government, and good cause appearing,

9 **IT IS HEREBY ORDERED** that the briefing schedule on Drago's § 2255 motion
10 (Dkt. No. 211) shall be stayed until Drago's former counsel provide the requested
11 affidavits or declarations to the government, as required within 45 days under separate
12 order. Upon receipt of counsel's affidavits or declarations, the government shall have 45
13 days in which to file its response to Drago's § 2255 motion.
14

15 DATED March 26, 2020.

16
17 
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23